

**EXHIBIT 91
FILED UNDER SEAL**

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4
5 WAYMO LLC,)
6 Plaintiff,)
7 vs.) Case No.
8 UBER TECHNOLOGIES, INC.;) 17-cv-00939-WHA
9 OTTOMOTTO, LLC; OTTO TRUCKING LLC,)
10 Defendants.)
11)
12 ATTORNEYS' EYES ONLY

13
14 VIDEOTAPED DEPOSITION OF
15 SAMEER KSHIRSAGAR
16 San Francisco, California
17 Friday, April 14, 2017
18 Volume I

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21
22 Reported by:
23 MARY J. GOFF
24 CSR No. 13427
25 Job No. 2594019
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
)
Plaintiff,)
vs.) Case No.
)
) 17-cv-00939-WHA
UBER TECHNOLOGIES, INC.;)
OTTOMOTTO, LLC; OTTO TRUCKING LLC)
)
Defendants.)
)

Videotaped Deposition of SAMEER KSHIRSAGAR, Volume I, taken on behalf of Plaintiff, Waymo LLC, at Quinn Emanuel Urquhart & Sullivan, LLP, 50 California Street, 21st Floor, San Francisco, California 94111, beginning at 8:58 a.m. and ending at 9:45 a.m. on Friday April, 14, 2017, before MARY GOFF, Certified Shorthand Reporter No. 13427.

1 Q Mr. Levandowski writes, Let's make sure we 09:25
2 get the good concentrations of erbium and ytterbium
3 from [REDACTED]
4 Do you see that?
5 A Yes. 09:25
6 Q Did you understand Mr. Levandowski to be
7 referring to levels of ion doping of the optical
8 fiber to be used with the lasers?
9 MR. PUNZALAN: Objection --
10 MS. PHILLIPS: Objection -- 09:25
11 MR. PUNZALAN: -- form.
12 MS. PHILLIPS: -- form.
13 A I believe that comment was for -- for
14 James. I'm not sure what those things are, but...
15 Q You're not sure what erbium and ytterbium 09:25
16 are?
17 A Correct. That -- that's not normal. I'm
18 -- I'm sure I would have -- I -- I -- I don't know
19 who that comment was directed to. James is on this
20 as well. 09:26
21 Q Are you aware whether, as part of the
22 [REDACTED] LiDAR system, there were ion doped optical
23 fibers used with the lasers?
24 MR. PUNZALAN: Objection, form.
25 MS. PHILLIPS: Objection, form. 09:26

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1 A I -- yes. Yeah. 09:26

2 Q (BY MS. BAILY) Do you understand what

3 concentrations of ion doping Otto wanted for those

4 fibers?

5 MR. PUNZALAN: Objection, form. 09:26

6 MS. PHILLIPS: Objection, form.

7 A No.

8 Q Who would know that?

9 A James.

10 Q James who? 09:26

11 A Haslim.

12 (Exhibit 12 was marked for identification

13 and is attached to the transcript.)

14 Q I'm showing you Exhibit 12. This is

15 E-mail correspondence between you and 09:27

16 Mr. Levandowski and others. Do you see that?

17 A Yes.

18 Q You forwarded a data sheet for an [REDACTED]

19 micro EDFA to Mr. Levandowski for his review and

20 comment; is that a fair characterization of this 09:27

21 document?

22 MR. PUNZALAN: Objection, form.

23 A Is -- is this what you're referencing?

24 Q I'm representing -- I'm referencing you

25 forwarding what appears to be a spec sheet for the 09:27

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1 [REDACTED] micro EDFA.

09:27

2 MR. PUNZALAN: Objection, form. Is that

3 --

4 MS. PHILLIPS: Objection, form.

5 MR. PUNZALAN: -- a question?

09:28

6 A I am not sure this is a spec sheet for
7 something they have. I think this was a spec sheet
8 for something he was looking for.

9 Q Understood. An EDFA is an Erbium Doped
10 Fiber Amplifier; is that correct? 09:28

11 MR. PUNZALAN: Objection, form.

12 A I don't know how to answer that when you
13 say it. And I can read the initials. And I would
14 say yes, I would not know how to describe that
15 before. 09:28

16 Q Was the interest in an EDFA -- strike
17 that.

18 Were you corresponding with
19 Mr. Levandowski about an EDFA for use in the LiDAR
20 [REDACTED] system? 09:28

21 A I don't know what he wanted it for.

22 Q Were you aware that Otto was interested in
23 an EDFA for LiDAR purposes?

24 MS. PHILLIPS: Objection, form.

25 MR. PUNZALAN: Objection, form. 09:29

1 A I -- I know they were interested in EDFA. 09:29
2 I don't know the reason.
3 Q You don't know for what product or
4 initiative?
5 A I -- I don't, no. 09:29
6 Q Why were you involved then?
7 A Because of a supplier --
8 MR. PUNZALAN: Objection, form. Go ahead.
9 A -- sorry. Because it was a supplier.
10 Q (BY MS. BAILY) Are you aware of the LiDAR 09:29
11 system called Fuji?
12 A Yes.
13 Q When did Fuji start development?
14 MR. PUNZALAN: Objection, form.
15 A I believe it was closer to the end of 09:29
16 October 2016.
17 Q Why did Otto and Uber move from [REDACTED] to
18 Fuji?
19 MS. PHILLIPS: Objection, form.
20 MR. PUNZALAN: Objection, form. 09:29
21 A Again, this was probably more for
22 technical reasons that I was not involved in it.
23 Q Do you have any understanding of why Otto
24 and Uber moved from [REDACTED] to Fuji?
25 MS. PHILLIPS: Objection, form. 09:30

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1 A I -- maybe some base level. 09:30

2 Q And what -- what is that base level

3 understanding?

4 A The [REDACTED] was very large, and the Fuji

5 intent was to be something more manageable. But I 09:30

6 don't know the technical reasons beyond that.

7 Q Is there any other reason that you

8 understand that a move was made from [REDACTED] to Fuji?

9 MS. PHILLIPS: Objection, form.

10 A No, I do not. 09:30

11 Q You're not aware either way whether Fuji

12 uses an erbium doped fiber amplifier?

13 MR. PUNZALAN: Objection, form.

14 MS. PHILLIPS: Objection, form.

15 A I don't believe we used fiber on the Fuji. 09:30

16 Q I saw a reference in your documents to

17 [REDACTED] having to pass on Otto's module assembly

18 business. Do you know what that refers to?

19 MR. PUNZALAN: Objection, form.

20 MS. PHILLIPS: Objection, form. 09:31

21 A Yes.

22 Q What does it refer to?

23 A There was a -- a PO that was canceled.

24 This was prior to my arrival.

25 Q And do you have an understanding as to why 09:31

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4 I, SAMEER KSHIRSAGAR, do hereby declare under
5 penalty of perjury that I have read the foregoing
6 transcript; that I have made any corrections as
7 appear noted, in ink, initialed by me, or attached
8 hereto; that my testimony as contained herein, as
9 corrected, is true and correct.

10 EXECUTED this _____ day of _____,
11 20_____, at _____.

12 (City)

(State)

13
14 _____
15 SAMEER KSHIRSAGAR
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